

## 40 CFR Part 63 MACT NESHAP Subpart SSSSSS Evaluation

*Puget Sound Clean Air Agency  
Compliance Department*

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Reg #: <b>11656 - 559</b>	Routed: Engineer <u><b>GSP</b></u>	Inspector <u><b>TJH</b></u>	Supervisor <u><b>MAP</b></u>	Planner <u><b>RGB</b></u>
Date Received: <b>12/28/2009</b>	Reviewed: <b>01/05/2010</b>	<b>03/29/2010</b>	<b>03/30/2010</b>	<b>03/30/2010</b>

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Facility: **Ardagh Glass**

☐ Received Paper Copy

Address: **5801 E Marginal Way S  
Seattle, WA 98134**

Date Received: **12/28/2009**

Date Evaluated: **01/05/2010**

NOV / WW #:

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Message on Information Request:

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Review:

This is the Notification of Compliance Status for NESHAP Subpart 6S. The notification submits the data specified in Section 63.9(h)(2) as specified in Section 63.11456(b). However, both of these sections require the notification to be submitted within 60 days of the performance tests - same as the test reports. The performance tests were conducted on 6/9/09 (furnace 3), 6/10/09 (furnace 2), and 8/4/09 (furnace 4). Therefore, the respective notifications were due by 8/8/09, 8/9/09 and 10/3/09. I called Marlon Trigg and asked him about it and he said the letter was drafted by Jayne Browning in Muncie and he wasn't involved.

It was sent to EPA Region 10 and we received a copy. However, our delegation agreement with the EPA references the delegation approval mechanism published in the federal register (63 FR 66054-66062) which specifies that all notifications and reports required by the NESHAPS must be submitted to the Agency and that EPA doesn't even need copies. I called Madonna Narvaez and she said there may be an agreement under the ongoing settlement negotiations to submit this information to EPA. So I called Katie McClintock but she said there wasn't and that it would be appropriate for me to tell Saint-Gobain to direct such notifications and reports to PSCAA, which I did the following day.

I concur with GSP's actions in this matter.